

# COMMISSIONER OF PATENTS ANNUAL REPORT FISCAL YEAR 1967

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U.S. DEPARTMENT OF COMMERCE/PATENT OFFICE



# U.S. DEPARTMENT OF COMMERCE

Alexander B. Trowbridge, Secretary

## PATENT OFFICE

Edward J. Brenner, Commissioner

1967

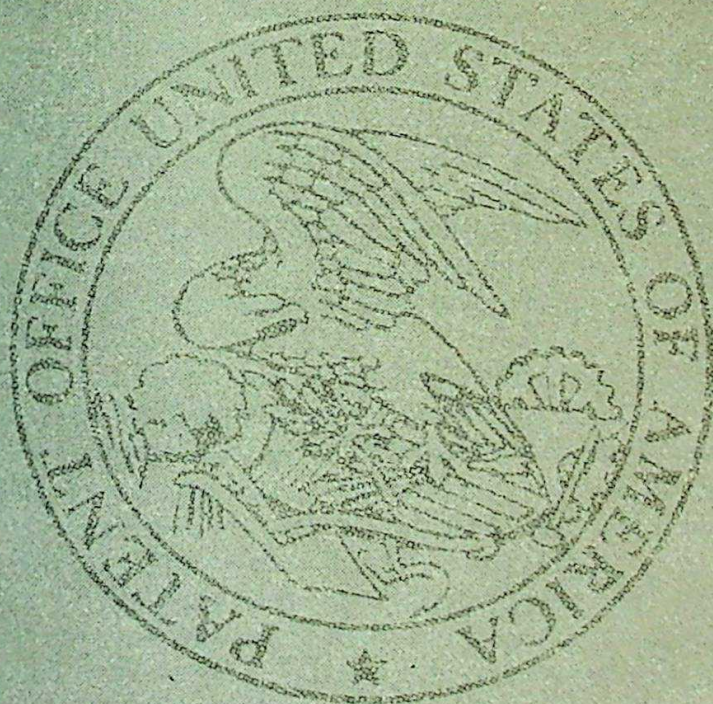


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COMMISSIONER  
OF PATENTS  
ANNUAL REPORT  
FISCAL YEAR 1904

THE PATENT OFFICE  
WASHINGTON, D. C.  
1904



FEB 2 1968

U. S. PATENT OFFICE

# Commissioner's Annual Report

## Fiscal Year 1967

### *Functions*

The Patent Office administers the patent laws enacted by the Congress in accordance with Article I, Section 8, of the Constitution, and the Federal trademark laws. In discharging the responsibilities relating to patents, applications are examined and grants made when the applicant is entitled to a patent under the law; patented matter is published and disseminated; assignments of patents are recorded; search files of U.S. and foreign patents and a Scientific Library are maintained for public use; and copies of patents and official records are supplied to the public. Similar functions are performed relating to trademarks.

### *Patent Examining Operations*

During fiscal 1967, 97,000 patent applications were disposed of as compared with 91,000 in fiscal 1966. For the first 3 years of the Office's "streamlined examining program," an average of 97,000 disposals per year has been obtained, a figure far in excess of the annual average of 77,500 for the 10 years preceding commencement of the program. Disposals are expected to exceed 100,000 in fiscal 1968. There were 89,000 patent applications filed during the year, compared to 93,000 (a record) the previous year. At year's end, the backlog of pending applications stood at 201,000 compared with 209,000 at the end of the previous year. The approximately 7 percent increase in disposals during the year was attained with no appreciable change in examiner staffing.

A number of steps have been taken to speed the examining process. Form letters have been developed for recurring situations, reducing typing and examiner time applied to individual cases. A new format for submission by an applicant of amendments to claims eliminates substantial amounts of hand entry by clerks and results in quicker analysis by the examiner of the changes in the claims.

The typing of multiple carbon copies of examiner's actions has been eliminated, speeding up typing and handling; applicants are furnished much more legible Xerographic-process copies which truly are a duplicate of the ribbon copy.



During the year, a quality audit program was designed and, after a 3-month trial run, instituted as a continuing operation. The program measures quality in three essential areas: patentability in view of the prior art and of nonart defects such as utility and adequate disclosure; adherence to policy and program in examining practice and procedure; and accuracy of classification and field of search. Thresholds for satisfactory performance in various areas are used to trigger a supervisory review of work below the threshold value.

A new system for reporting Patent Examiner activities and workload inventories was made fully operational during the year. The system provides management with more significant information which is more readily usable in the decision making process.

### ***Patent Services***

New procedures were instituted in the Reference Order Center for reproducing examiner-supplied copies of foreign patents, books and technical literature in lieu of accessing such reference material from a central repository. This eliminates a tedious and intricate operation of ordering, pulling, copying, and reshelving.

During the year, the Reference Order Center microfilmed 354,476 pages of foreign patents and publications and processed 367,000 U.S. patent references to complete and mail more than 96,600 Office Actions.

The Office has revised its assignment recording regulations and will now accept and record certified copies of original assignments or other instruments.

Significant progress has been made toward reaching the objectives of the microfilm patent copy document system. This system contemplates a number of microfilm files including the initial microfilming to 35-mm. roll microfilm of over 3.3 million patents, the construction of a filmcard file for use in "on demand" unit order fulfillment, and the construction of master numerical aperture cards which will serve as the base for producing working numerical aperture card files and a master subject-matter classified aperture card file. The filmcard file and the master numerical aperture card file will be constructed from the initial 35-mm. roll microfilm. Preparation of patents for microfilming has been virtually completed. Microfilming, which began in February 1967, is nearly one-third completed and should be finished by February or March 1968. It is expected that the filmcard file will be put into use in the patent copy fulfillment subsystem by July 1968. Implementation of this system will result in significant savings in operation and improved service to the public. The present target date established for completing the master classified aperture card file which will provide the capability for supplying complete, or portions



of, classified files of patents in aperture card is the end of fiscal year 1969.

The Document Services Branch is now microfilming currently issuing patents. The film will then be used for producing 70-mm. filmcards for use in the patent copy fulfillment system. By filming this set of patents before shipment to archival storage, missing pages and copies, and sequence of sheets and numbers, can be checked and corrected much more efficiently than at a later date after the copies are in storage.

As the year drew to a close, final implementation was underway on a computer-based system to compare incoming foreign patents, claiming a prior U.S. filing, with the U.S. application serial numbers. Matchups will reveal the location, status and classification of the U.S. counterpart and will permit quick decisions to be made on routing and handling of such incoming patents. This system can be utilized to process a very substantial portion of the foreign patent input, eliminating a considerable amount of time and effort on the part of the individual translator, examiner, and clerks.

A contract was concluded during the year to initiate the development of a pilot microform viewer as part of the long-range program to convert the search files in the Patent Examining Corps and the Public Search Room to a microform search file system.

A service of the Clearinghouse for Federal Scientific and Technical Information in cooperation with the Patent Office which provides all newly issued patents on 16-mm. microfilm on a subscription basis was improved by making it possible for the public to subscribe by subject category (mechanical, chemical, or electrical) if the entire issuance is not desired.

### ***Patent Documentation***

To make patents a more useful source of technical information for the nonpatent oriented scientist, engineer, or businessman, an abstract of the technical disclosure is required as a part of all patent applications submitted after January 1, 1967. The abstract is printed as part of the patent upon issuance, and also will be published separately in a media yet to be determined.

The number of mechanized systems under the ICIREPAT (Committee for International Cooperation in Information Retrieval Among Examining Patent Offices) program increased during the year from 118 to approximately 50. The amount of development varies greatly from those only recently proposed, such as ceramics (U.S.), to A-D Converters (Dutch) in which the work of several years was virtually completed by the end of fiscal year 1967 due to concerted effort of the examiners and R. & D. personnel in indexing the remaining U.S. patents.



Progress in several of the systems under the ICIREPAT 5-year program has been made. Testing in the glass technology system is underway and trial indexing in both alloy and lubricant systems is being done. Final authorization to index on a production basis in the revised steroid system is awaited from ICIREPAT.

In the latter part of the year, emphasis increased in some new projects which, if the techniques prove feasible, will be proposed to ICIREPAT. Work is proceeding in a project in azo dyes which couples a patent indexing system with a microfilm retrieval system. A simple indexing system is used, and it is hoped that nonprofessionals can index by this method with accuracy.

At the close of the year, plans had been completed with RAND Corp. of Santa Monica, Calif., to explore the relationship of an Examiner in dialogue with a computer storing an indexed patent file. The Examiner may modify his questions in the light of prior answers received from the computer and thus direct his search according to his needs.

Continued concentration on reclassifying very active and rapidly growing areas of art, using examiners under direction of senior classifiers, resulted in a significant increase in effort applied to this vital aspect of the examining operation. Also, the use of technicians as classifying aids helped increase the effectiveness of reclassification as well as creating new employment opportunities.

Completed in the fiscal 1967 activities were three major projects covering the fields of magnetically operated switches, optics, and metal founding.

During the year the Office of Patent Classification was reorganized to establish a Chemical Classification Division, an Electrical Classification Division, and a Mechanical Classification Division, reporting, respectively, to the Directors of the Chemical, Electrical, and Mechanical Examining Operations.

Representatives of the Office of Patent Classification attended several meetings in Europe of the Working Groups of the International Patent Classification Convention.

### ***Patent Appeals and Interferences***

The Board of Appeals received 10,916 appeals, including 494 petitions for reconsideration, as compared with 13,744 appeals the preceding year. The Board rendered 4,031 decisions, including 511 petitions for reconsideration; 2,378 appeals were dismissed for reasons such as failure to file a brief and 5,728 appeals were withdrawn by appellants. The number of appeals on hand at the end of the year was 4,336, compared with 5,569 the previous year, a reduction of 1,233.

The number of interferences declared continued at a reduced rate,



and the number of cases pending at the end of the fiscal year was reduced by 217. The disposal of cases on the merits after final hearing was 201, greater than for any previous year.

### ***Trademark Examining Operations***

As a result of the introduction of streamlined prosecution practices, further progress was made in reducing the backlog of pending trademark applications and the time required in reaching pending applications for examination.

Applications for registration filed during the year totaled 27,584. While the total was a decrease of approximately 850 applications below the previous year, it was substantially greater than for any other previous year. Applications on file at the end of the year were 337,457, compared to 38,198 the previous year, a decrease of 741.

Disposals totaled 28,325, consisting of 21,831 marks which were registered on the Principal Register and Supplemental Register and 6,494 applications which were abandoned.

There were 20,855 marks published for opposition and 1,214 oppositions were received. There were 112 interference proceedings instituted, and 1,720 requests for extension of time for filing an opposition.

At the end of the fiscal year, maximum time for acting on new applications for registration of marks was 10 months. Amended cases were acted upon as soon as received.

### ***Trademark Trial and Appeal Board***

The Trademark Trial and Appeal Board has appellate jurisdiction over the decisions of the examiners of trademarks refusing registration of an applicant's trademark, and original jurisdiction to hear and decide adversary proceedings arising under the Trademark Act of 1946. This Act provides for four types of adversary proceedings: interferences, oppositions, cancellations, and concurrent use.

This year the Trial and Appeal Board completed its eighth full fiscal year of operation during which it wrote the largest number of final decisions in its history. A total of 556 cases were decided after a hearing, 417 of which were adversary proceedings and 139 ex parte appeals. In addition, 1,191 adversary proceedings were finally disposed of during the interlocutory stages, and 190 ex parte appeals prior to a hearing. There were 1,678 adversary proceedings and 225 ex parte appeals pending at the end of the year.

### ***Legislation***

On February 21, 1967, President Johnson forwarded to the Congress the "Patent Reform Act of 1967" which would bring about the first major revision of U.S. patent laws in more than 130 years. This bill was based upon and incorporated most of the recommendations



of the President's Commission on the Patent System appointed in 1965 to analyze the contemporary needs of the system and make any recommendations to improve its effectiveness in serving the public interest. The bill was introduced in the Senate by Senator McClellan as S. 1042 and in the House by Representative Kastenmeier as H.R. 5924.

The purposes of the proposed legislation, in President Johnson's words are:

"1. To raise the quality and reliability of U.S. patents.

"2. To reduce the time and expense of obtaining and protecting a patent.

"3. To speed public disclosure of scientific and technological information.

"These changes will accomplish another important objective: They will bring the U.S. patent system more closely into harmony with those of other nations."

Acting Under Secretary J. Herbert Hollomon and Commissioner of Patents Edward J. Brenner testified in support of the bill before Subcommittee No. 3 of the House Judiciary Committee and the Patent, Trademark and Copyright Subcommittee of the Senate Judiciary Committee supporting the bill and explaining its many key provisions. Hearings on this measure were not completed as of the end of the fiscal year.

### ***International Activity***

Commissioner Edward J. Brenner and other Patent Office officials actively participated in several international meetings sponsored by the United International Bureaux for the Protection of Intellectual Property (BIRPI). A draft Patent Cooperation Treaty was released May 31, 1967, which proposes a comprehensive plan designed to eliminate two of the major problems facing the world's patent system today: (1) the difficulties faced by applicants when filing in foreign countries due to differences in the substantive and formal requirements of patent applications; and (2) the difficulties facing national patent offices due to duplication of efforts expended in checking formalities, establishing searches and otherwise examining corresponding applications filed in more than one country.

Several briefing conferences were held with interested members of both the patent and business community. Comments generated by these conferences and other contacts with bar and business groups is of great assistance in U.S. preparation for participation in the next step of the treaty development—a meeting of a Committee of Experts to be held in Geneva in October 1967.

A number of patent search exchange programs have been initiated with the patent offices of other countries including Austria, Czecho-



slovakia, France, Germany, Japan, the Philippines, Sweden, and Switzerland.

The joint publication of the final report on the first phase of a search exchange with the Federal Republic of Germany was published during the year.

In Trademark affairs, the principal development during the year was the first of a series of meetings with selected representatives of the business and legal community on the question of whether the United States should adhere to the Madrid Agreement Concerning the International Registration of Trademarks of April 14, 1891, as revised at Nice June 15, 1957.

A study favorable to the adoption of the International Classification of Goods and Services for Trademark Purposes was completed, with implementation scheduled to begin in fiscal year 1968.

### *Operating Cost and Income*

The Patent Office appropriation for fiscal year 1967 was \$37,050,000, which amount was comprised of the regular appropriation of \$35,500,000 and a supplemental appropriation of \$1,550,000 for increased printing requirements (\$900,000) and pay act costs (\$650,000). Adjusting amounts appropriated for transfer to the General Services Administration for rental of space (\$3,460) results in new obligational authority of \$37,046,540.

Program costs for this period were \$35,533,392, and with the addition of \$1,454,941 net obligations incurred for costs of other years the total amount obligated during fiscal 1967 was \$36,988,333 or 99.8 percent of new obligational authority. Costs and obligations reflect \$38,137 comparative transfer to Salaries and Expenses, General Administration, Department of Commerce.

Compensation for an average of 2,528 employees accounted for 71 percent of total operating expenses; related costs of employee life insurance, health benefits, retirements, Federal Insurance Contribution Act taxes, awards, and Employees' Compensation Fund payments for 66 percent; printing and reproduction for 18 percent; and all other operating costs for 5 percent.

During the year the office received \$23,813,252 in fees and deposits from all sources. Refund of \$184,647 and a net decrease of \$37,457 in the deposit fund for unapplied receipts resulted in a net income of \$23,666,062. This exceeded by \$5,519,848 the previous record high of \$18,146,214 in fiscal 1966, and reflected the higher fee structure under Public Law 89-83 effective October 25, 1965. Net income for 1967, the first full year under the higher fee structure, was equivalent to about 67 percent of operating costs.



### General

An Office of Planning and Programing was established during the year which will have responsibility for coordinating the planning and programing in all areas of the Patent Office, including patent examination, patent documentation, and implementation of any changes in the patent and trademark laws and international agreements.

Also established was an Automatic Data Processing Division.

During the year, about two-thirds of the patent examining staff—the Electrical and Mechanical Operations—were moved from the Commerce Building into new, modern office space in the Crystal Plaza complex of the Crystal City development in Arlington, Va. The remainder of the examining staff (the Chemical Examining Operation) and the Public Search Room, Scientific Library, Commissioner's Offices, and other units are scheduled to move to the new location in fiscal 1968.

## PATENT EXAMINING OPERATION

### Pending Patent and Design Applications as of June 30, 1967

Status	Patents incl. plants and reissues	Designs
Under examination:		
Awaiting action by examiners.....	134,346	2,326
Others (i.e. response by applicant, in interference, on appeal, or action suspended (awaiting examiner action)).....	50,095	2,117
Total under examination.....	184,441	4,443
Preexamination.....	16,298	586
Total.....	200,739	5,029
Post examination:		
Allowed, on hand in the examining groups.....	2,750	390
Awaiting payment of final fee.....	15,266	.....
Awaiting issuance, fee paid prior to June 30.....	8,105	.....
Applications awaiting entry of amendment (Rule 312) .	387	.....
D-10's (secret cases in condition for allowance).....	2,699	.....
Total.....	229,946	5,419



# Summary of Patent and Design Examining Activities, Fiscal Years 1965-67

Item	1965	1966	1967	Annual average 1958-67
<b>I Patents:</b>				
Applications filed:				
With fee:				
General, mechanical, chemical, electrical.....	86,716	92,183	88,167	82,648
Plants.....	89	103	100	120
Reissues.....	237	266	241	246
No fees required:				
(35 U.S.C. 266).....	1,327	*498	.....	.....
(C.G. decisions).....	865	341	.....	.....
Total.....	89,234	93,391	88,508	84,510
Applications allowed.....	69,341	64,188	65,951	55,693
Applications abandoned.....	32,824	26,871	30,860	30,306
Total disposals.....	102,165	91,059	96,811	85,999
<b>II Patents issued:</b>				
With fee:				
General, mechanical, chemical, elec- trical.....	51,385	65,237	70,022	51,701
Plants.....	127	105	102	114
Reissues.....	204	238	180	190
No fee required:				
(35 U.S.C. 266).....	913	613	.....	.....
(C.G. decisions).....	611	385	.....	.....
Total.....	53,240	66,578	70,304	53,411
<b>III Patents withheld for non payment of final fee</b> (35 U.S.C. 151).....	1,362	1,503	2,411	1,504
<b>IV Designs:</b>				
Applications filed.....	5,319	5,187	4,774	4,916
Applications allowed.....	3,437	3,200	3,200	2,851
Applications abandoned.....	2,588	2,071	1,915	2,255
Design patents issued.....	2,979	3,638	2,840	2,747

\*No applications filed without fee pursuant to Public Law 89-93 effective October 25, 1965.



## Applications for Patents Filed, Fiscal Years

Year	Inventions	Plants	Reissues	Total	Designs
1948.....	73,188	68	129	73,385	7,323
1949.....	66,091	81	120	66,292	6,883
1950.....	69,025	92	178	69,295	7,307
1951.....	63,000	77	160	63,237	4,871
1952.....	60,107	93	186	60,386	4,606
1953.....	70,025	99	219	70,343	5,433
1954.....	74,987	90	194	75,271	5,501
1955.....	78,386	94	230	78,710	5,523
1956.....	75,420	117	196	75,733	5,322
1957.....	73,495	99	189	73,783	4,675
1958.....	76,565	129	262	76,956	4,838
1959.....	77,978	126	259	78,363	4,994
1960.....	78,995	117	219	79,331	4,567
1961.....	80,842	106	223	81,171	4,605
1962.....	84,864	131	270	85,265	4,963
1963.....	84,620	149	277	85,046	4,841
1964.....	87,482	147	207	87,836	5,067
1965.....	88,908	89	237	89,234	5,319
1966.....	93,022	103	266	93,391	5,187
1967.....	88,167	100	241	88,508	4,774

Patents Granted, Fiscal Years <sup>1</sup>

Year	Inventions	Plants	Reissues	Total	Designs
1948.....	21,336	59	120	21,515	3,102
1949.....	30,393	53	118	30,564	4,251
1950.....	38,464	106	113	38,683	4,826
1951.....	45,447	61	138	45,646	4,604
1952.....	42,963	91	133	43,187	3,344
1953.....	42,480	91	163	42,734	2,827
1954.....	38,499	87	167	38,753	2,573
1955.....	29,473	116	186	29,775	2,533
1956.....	40,465	88	141	40,694	3,104
1957.....	44,819	120	163	45,102	2,375
1958.....	43,407	110	159	43,676	2,572
1959.....	52,184	128	170	52,482	2,508
1960.....	50,322	107	178	50,607	2,685
1961.....	47,222	110	160	47,492	2,488
1962.....	51,065	88	190	51,343	2,336
1963.....	53,958	114	215	54,287	2,411
1964.....	44,050	147	203	44,400	3,019
1965.....	52,914	127	204	53,245	2,979
1966.....	66,243	105	238	66,586	3,638
1967.....	70,028	102	180	70,310	2,840

<sup>1</sup> Includes withdrawn numbers.



# Patent Applications Pending on June 30, of Year Indicated <sup>1</sup>

Year	Total pending <sup>2</sup>	Awaiting action by examiner <sup>3</sup>	Year	Total pending <sup>2</sup>	Awaiting action by examiner <sup>3</sup>
1948.....	233, 174	148, 184	1958.....	207, 166	88, 804
1949.....	232, 171	140, 711	1959.....	198, 248	87, 146
1950.....	219, 334	124, 823	1960.....	195, 885	87, 122
1951.....	201, 382	108, 996	1961.....	200, 934	90, 917
1952.....	185, 084	96, 836	1962.....	197, 397	100, 841
1953.....	182, 650	98, 878	1963.....	209, 131	117, 610
1954.....	194, 620	116, 392	1964.....	219, 691	127, 154
1955.....	221, 872	139, 931	1965.....	206, 922	147, 473
1956.....	217, 536	121, 847	1966.....	209, 254	145, 101
1957.....	215, 535	106, 523	1967.....	200, 739	134, 346

<sup>1</sup> Does not include allowed applications and design applications.

<sup>2</sup> Beginning with 1947, includes applications in preexamining processes.

<sup>3</sup> Includes cases in which Office actions were suspended under rule 103.

## CLASSIFICATION

### Classification Activity, Fiscal Years 1963-67

Activity	1963	1964	1965	1966	1967
0Classes abolished.....	6	3	8	5	1
Original patents.....	56, 589	13, 776	36, 174	55, 556	11, 854
Cross-reference patents.....	51, 872	11, 395	26, 125	58, 622	14, 441
0Classes established.....	6	4	6	4	3
Subclasses.....	1, 625	824	1, 346	1, 400	1, 039
Original patents.....	55, 598	23, 042	50, 085	58, 444	25, 676
Cross-reference patents.....	96, 667	62, 988	57, 575	85, 312	38, 417
Foreign patents.....	69, 636	50, 435	66, 399	85, 815	56, 507
1Miscellaneous subclasses:					
Established.....	114	440	334	420	492
Original patents.....	4, 611	12, 323	11, 541	10, 009	12, 459
Cross-reference patents.....	3, 373	31, 232	14, 999	19, 339	21, 938
1Miscellaneous patents transferred.....	11, 973	9, 479	10, 883	10, 317	10, 582
2Assignment decisions:					
Written.....	104	74	75	29	12
Oral.....	6, 864	7, 811	7, 186	7, 481	6, 571
2Letters of inquiry answered.....	1, 161	1, 014	853	920	766



# Pending Trademark Applications as of June 30, 1967

Status	For registration	For renewal	Under Sec. 12(c)	Sec. 8 Affidavits
Under examination:				
Awaiting:				
Action by examiners.....	16,312	358	113	400
Response by applicant.....	9,016	102	—	236
On ex parte appeal.....	312	—	—	—
In adversary proceedings.....	1,879	—	—	—
Total under examination.....	27,519	460	113	636
Preexamination.....	3,173	179	12	234
Post examination (includes applications in all phases of publication and issue).	6,946	340	37	—
Total.....	37,638	979	162	870

## Summary of Trademark Examining Activities, Fiscal Years 1965-67

Item	1965	1966	1967	Annual average 1958-67
Applications for registration filed.....	26,657	28,438	27,628	24,781
Disposal of trademark applications:				
Applications maturing to registration.....	20,132	19,400	20,969	18,614
Applications abandoned.....	5,375	5,666	6,551	5,043
Certificates of registration issued:				
1946 act, principal register.....	18,306	17,488	19,183	17,363
1946 act, supplemental register.....	1,143	1,181	1,420	997
Total.....	19,449	18,669	20,603	18,360
Renewal of registration:				
Applications filed.....	3,049	3,695	3,844	3,316
Applications abandoned.....	83	119	117	68
Registrations renewed.....	2,869	3,440	3,820	3,226
Affidavits for benefits under sec. 12(c):				
Affidavits filed.....	308	518	341	392
Affidavits abandoned.....	4	2	6	4
Published under sec. 12(c).....	336	497	403	423
Affidavits, sec. 8:				
Affidavits filed.....	13,923	13,705	11,956	12,994
Affidavit disposal.....	13,728	13,189	12,469	12,970



### Applications for Trademark Registrations, Renewals, and Sec. 12(c) Affidavits, Fiscal Years

Year	For regis- tration	For re- newal	For bene- fits under sec. 12 (c)	Affi- davits re- ceived under sec. 8	Year	For regis- tration	For re- newal	For bene- fits under sec. 12 (c)	Affi- davits re- ceived under sec. 8
1948..	35,157	4,251	29,212	—	1958..	21,770	3,237	556	12,126
1949..	20,141	4,011	4,225	—	1959..	22,243	3,321	447	11,548
1950..	18,755	3,731	2,206	—	1960..	23,242	3,972	419	12,573
1951..	15,962	3,310	1,379	—	1961..	23,169	3,476	423	14,581
1952..	16,126	3,383	1,164	—	1962..	24,866	3,138	337	14,720
1953..	17,400	3,075	1,309	1,424	1963..	24,224	2,604	311	12,752
1954..	19,715	3,887	1,626	16,491	1964..	25,574	2,824	261	12,055
1955..	21,515	3,931	1,287	17,773	1965..	26,657	3,049	308	13,923
1956..	21,735	3,675	808	12,040	1966..	28,438	3,695	518	13,705
1957..	21,581	3,638	843	12,873	1967..	27,628	3,844	341	11,156

### Trademarks Registered, Renewed and Published Under Sec. 12(c), Fiscal Years <sup>1</sup>

Year	Regis- tered	Re- newed	Pub- lished under sec. 12(c)	Year	Regis- tered	Re- newed	Pub- lished under sec. 12(c)
1948.....	9,411	6,704	8,298	1958.....	15,979	3,172	555
1949.....	14,450	4,735	20,819	1959.....	17,685	3,249	529
1950.....	16,378	3,573	4,873	1960.....	18,989	3,614	479
1951.....	17,869	3,487	1,589	1961.....	17,406	3,749	451
1952.....	16,400	3,314	1,304	1962.....	15,909	3,071	331
1953.....	16,273	3,268	1,157	1963.....	18,266	2,450	322
1954.....	15,197	2,918	1,383	1964.....	20,689	2,834	329
1955.....	16,109	4,588	1,544	1965.....	19,452	2,870	336
1956.....	21,613	3,315	885	1966.....	18,671	3,441	497
1957.....	17,864	4,041	877	1967.....	20,604	3,820	403

<sup>1</sup> Includes withdrawn numbers.



# Summary of Patent Office Services Furnished for Fees or Without Charge to the Public and Government Agencies During Fiscal Year 1967

Item or service provided	Total supplied	Patent Office use	Furnished other Gov- ernment agencies	Number for which charge was made
Prints furnished: Manuscripts, patents, publications, etc. . . . .	7, 336, 014	1, 963, 449	48	5, 372, 517
Certificates prepared. . . . .	104, 665	—	8	104, 657
Assignments:				
Abstract of title and title searches. . . . .	1, 039	—	—	1, 039
Title reports. . . . .	36, 066	35, 478	—	588
Instruments recorded. . . . .	68, 541	—	4, 223	66, 604
Patents and trademarks:				
Orders. . . . .	6, 921, 625	916, 965	175	6, 004, 485
Foreign exchange. . . . .	3, 336, 685	—	3, 336, 685	—
Library subscriptions. . . . .	1, 310, 755	—	—	1, 310, 755
ROC. . . . .	507, 818	507, 818	—	—
Total. . . . .	12, 076, 883	1, 424, 783	3, 336, 860	7, 315, 240
Drawings and corrections. . . . .	16, 705	—	—	13, 974

## Summary of Contested Cases in Patent Office During Fiscal Year 1967

Patent cases before the Board of Appeals:		
Pending July 1, 1966. . . . .		5, 569
Filed July 1, 1966-June 30, 1967:		
Ex parte appeals. . . . .	10, 422	
Reconsideration. . . . .	494	10, 916
Total. . . . .		16, 485
Disposals:		
Examiner affirmed. . . . .	2, 369	
Examiner affirmed-in-part. . . . .	427	
Examiner reversed. . . . .	724	
Dismissed. . . . .	2, 378	
Suspended. . . . .	12	
Withdrawn. . . . .	5, 728	*12, 149
Pending June 30, 1967. . . . .		4, 336
Cases before the Board of Patent Interferences:		
Pending July 1, 1966. . . . .		1, 321
Filed July 1, 1966-June 30, 1967: Inter partes cases. . . . .		435
Total. . . . .		1, 756
Disposals. . . . .		655
Pending June 30, 1967. . . . .		1, 101

See footnote at end of table.



## Classes before the Trademark Trial and Appeal Board:

	Ex parte	Can- celled	Con- curred	Inter partes inter- ferences	Oppo- sitions	Total
Pending July 1, 1966. . . . .	119	249	7	85	1, 308	1, 768
Filed July 1, 1966-June 30, 1967:						
Ex parte appeals. . . . .	520	.....	.....	.....	.....	520
Inter partes cases. . . . .	.....	231	7	105	1, 209	1, 552
Total. . . . .	639	480	14	190	2, 517	3, 840
Disposals. . . . .	408	208	7	102	1, 212	1, 937
Pending June 30, 1967. . . . .	231	272	7	88	1, 305	1, 903

\*511 Reconsiderations included.

## Actions on Petitions to Commissioner

Acceptance of late priority papers. . . . .	34
Access. . . . .	3
Certificates of corrections. . . . .	9, 370
Deferment of issue. . . . .	58
Express abandonment. . . . .	24
Extensions of time. . . . .	1, 003
Filing date. . . . .	263
Final fee—Late payment. . . . .	465
Interference. . . . .	194
Make special. . . . .	210
Public use. . . . .	11
Reinstatement of appeals. . . . .	25
Relevials. . . . .	1, 180
Supervisory authority. . . . .	185
Withdrawals of attorney. . . . .	2, 502
Miscellaneous. . . . .	176
Delegated:	
Make special. . . . .	139
Restriction. . . . .	40
Miscellaneous. . . . .	542
Total. . . . .	721
Total. . . . .	16, 424

(Pending petitions awaiting action—144.)



## Cases in Litigation (Courts)

	Adminis- trative Review	Patent	Trade- mark	Total
Supreme Court of the United States				
Petitions for writ of certiorari:				
Pending July 1, 1966.....	—	0	0	0
Filed July 1, 1966–June 30, 1967.....	—	2	0	2
Total.....	—	2	0	2
Denied.....	—	1	0	1
Granted.....	—	0	—	0
Total.....	—	1	0	1
Pending June 30, 1967.....	—	1	0	1
United States Court of Appeals—District of Columbia Circuit				
Cases Pending July 1, 1966.....	0	7	0	7
Appeals Taken July 1, 1966–June 30, 1967.....	4	9	0	13
Total.....	4	16	0	20
Cases disposed of:				
Affirmed.....	1	2	0	3
Dismissed.....	0	2	0	2
Remanded.....	0	1	0	1
Reversed.....	0	4	0	4
Total.....	1	9	0	10
Pending June 30, 1967.....	3	7	0	10
United States District Court for the District of Columbia				
Pending July 1, 1966.....	8	119	—	127
Filed July 1, 1966–June 30, 1967.....	8	103	—	111
Total.....	16	222	—	238
Cases disposed of:				
Affirmed.....	0	16	—	16
Reversed.....	1	6	—	7
Dismissed on:				
Plaintiff's motion.....	1	1	—	2
Defendant's motion.....	7	1	—	8
Stipulation of counsel.....	0	45	—	45
Want of prosecution.....	0	2	—	2
Total.....	9	71	—	80
Pending June 30, 1967.....	7	151	—	158

\*5 cases heard, but not decided.

Notices of appeals to U.S. Court of Customs and Patent Appeals

Received July 1, 1966–June 30, 1967:

Ex parte patents and trademarks=193 (10 not perfected)  
 Inter partes patents =20 (4 not perfected)  
 Inter partes trademarks =48 (3 not perfected)



## Cases in Litigation (Courts)—Continued

	Ex parte		Inter partes		Total
	Patent	Trade-mark	Patent	Trade-mark	
United States Court of Customs and Patent appeals					
Cases pending July 1, 1966.....	248	9	41	40	338
Filed July 1, 1966 thru June 30, 1967..	170	14	26	37	247
Total.....	418	23	67	77	585
Cases disposed of:					
Affirmed.....	76	3	14	15	108
Affirmed-in-part.....	10	0	1	0	11
Remanded.....	0	0	1	0	1
Reversed.....	33	3	12	3	51
Dismissed:					
On appellant's motion.....	43	0	4	4	51
On want of prosecution.....	4	0	0	1	5
Total.....	166	6	32	23	227
Pending July 1, 1967.....	252	17	35	54	358

## OTHER JURISDICTION

## LITIGATION REPORT

July 1, 1966—June 30, 1967

(Cases Reported)

Month	Patent suits				Trademark suits			
	Filed	Pat's. inv'd.	Decs.	Pat's. inv'd.	Filed	TM's. inv'd.	Decs.	TM's. inv'd.
July.....	42	63	23	33	28	52	16	29
Aug.....	74	95	59	73	23	42	8	105
Sept.....	101	109	49	75	31	65	20	51
Oct.....	33	51	36	39	9	30	5	13
Nov.....	95	116	75	105	25	60	15	22
Dec.....	53	72	51	73	24	41	22	100
Jan.....	65	86	7	14	6	16	14	17
Feb.....	55	64	62	69	25	38	29	28
Mar.....	43	55	87	98	5	13	8	20
Apr.....	65	70	36	43	22	40	19	39
May.....	45	72	35	82	13	41	14	45
June.....	79	124	39	59	27	81	14	45
Total...	750	977	559	763	238	519	184	514



## Average Number of All Employees, Fiscal Years 1963-67

	1963	1964	1965	1966	1967 <sup>2</sup>
<b>Examination and issuance of patents:</b>					
Patent Examining Corps.....	1, 417	1, 435	1, 449	1, 449	1, 458
Office of Patent Classification.....	135	128	123	131	133
Office of Patent Services.....	408	416	443	457	471
Board of Appeals.....	62	59	56	52	50
Board of Patent Interferences.....	21	20	20	19	19
Administrative support <sup>1</sup> .....	252	251	263	272	268
Subtotal.....	2, 295	2, 309	2, 354	2, 380	2, 401
<b>Examination and registration of trademarks:</b>					
Trademark Examining Operation.....	96	102	101	99	99
Trademark Trial and Appeal Board....	13	14	15	13	14
Administrative support <sup>1</sup> .....	13	13	14	14	14
Subtotal.....	122	129	130	126	127
Total.....	2, 417	2, 438	2, 484	2, 506	2, 528
Patent professional.....	1, 222	1, 226	1, 218	1, 210	1, 207
Trademark professional.....	45	48	47	46	45
All other.....	1, 150	1, 164	1, 219	1, 250	1, 276
Total.....	2, 417	2, 438	2, 484	2, 506	2, 528

<sup>1</sup> See the following table:Administrative support operations  
prorated to activities:

Office of Commissioner.....	26	26	27	34	36
Office of Solicitor.....	22	21	22	21	21
Office of Research, Development, and Analysis.....	99	98	105	100	95
Office of Administration.....	118	119	123	131	130
Total.....	265	264	277	286	282
Examination and issuance of patents.	252	251	263	272	268
Examination and registration of trademarks.....	13	13	14	14	14
Total.....	265	264	277	286	282

<sup>2</sup> Reflects comparative transfer to other accounts.



## End of Year Employment, Fiscal Years 1963-67

	1963	1964	1965	1966	1967 <sup>2</sup>
<b>Examination and issuance of patents:</b>					
Patent Examining Corps.....	1,487	1,456	1,494	1,497	1,560
Office of Patent Classification.....	130	124	131	133	142
Office of Patent Services.....	438	446	497	481	511
Board of Appeals.....	61	57	54	49	53
Board of Patent Interferences.....	20	20	20	22	20
Administrative support <sup>1</sup> .....	273	265	276	276	302
Subtotal.....	2,409	2,368	2,472	2,458	2,588
<b>Examination and registration of trademarks:</b>					
Trademark Examining Operation.....	100	103	102	98	111
Trademark Trial and Appeal Board....	12	14	14	14	17
Administrative support <sup>1</sup> .....	14	14	15	14	16
Subtotal.....	126	131	131	126	144
Total.....	2,535	2,499	2,603	2,584	2,732
Patent professional.....	1,245	1,246	1,244	1,225	1,239
Trademark professional.....	47	48	45	46	54
All other.....	1,243	1,205	1,314	1,313	1,439
Total.....	2,535	2,499	2,603	2,584	2,732

<sup>1</sup> See the following table:

Administrative support operations prorated to activities:

Office of Commissioner.....	29	33	39	36	41
Office of Solicitor.....	22	22	22	25	22
Office of Research, Development and Analysis.....	117	102	95	98	109
Office of Administration.....	119	122	135	131	146
Total.....	287	279	291	290	318
Examination and issuance of patents.	273	265	276	276	302
Examination and registration of trademarks.....	14	14	15	14	16
Total.....	287	279	291	290	318

<sup>2</sup> Reflects comparative transfer to other accounts.



## Operating Cost, Fiscal Years 1963-67 (in thousands of dollars)

	1963	1964	1965	1966	<sup>2</sup> 1967
Examination and issuance of patents:					
Patent Examining Corps.....	18,073	18,598	20,943	22,747	24,339
Office of Patent Classification....	1,359	1,416	1,504	1,577	1,686
Office of Patent Services.....	2,911	3,118	3,475	3,629	3,758
Board of Appeals.....	711	706	799	781	787
Board of Patent Interferences....	220	229	268	282	289
Administrative support <sup>1</sup> .....	2,460	2,559	2,902	3,090	3,214
Subtotal.....	25,734	26,626	29,891	32,106	34,073
Examination and registration of trademarks:					
Trademark Examining Operation....	912	998	1,043	1,065	1,110
Trademark Trial and Appeal Board.	138	150	171	173	182
Administrative support <sup>1</sup> .....	129	135	153	163	169
Subtotal.....	1,179	1,283	1,367	1,401	1,461
Total.....	26,913	27,909	31,258	33,507	35,534
Personnel compensation.....	19,535	20,972	23,238	23,996	25,334
Personnel benefits.....	1,475	1,596	1,711	1,787	1,987
Printing and reproduction.....	4,543	4,085	4,802	6,334	6,418
Other costs.....	1,360	1,256	1,507	1,390	1,795
Total.....	26,913	27,909	31,258	33,507	35,534

<sup>1</sup> See the following table:

Administrative support operations prorated to activities:					
Office of Commissioner....	343	293	373	553	581
Office of Solicitor.....	256	287	326	310	335
Office of Research, Development, and Analysis.	1,084	1,155	1,234	1,213	1,293
Office of Administration...	906	959	1,122	1,177	1,174
Total.....	2,589	2,694	3,055	3,253	3,383
Examination and issuance of patents.	2,460	2,559	2,902	3,090	3,214
Examination and registration of trademarks	129	135	153	163	169
Total.....	2,589	2,694	3,055	3,253	3,383

<sup>2</sup> Reflects comparative transfer to other accounts.



## Income From Fees, Fiscal Years 1963-67 (in thousands of dollars)

	1963	1964	1965	1966	1967
1 Patent filing fee, including extra claims.....	2, 527	2, 612	2, 671	5, 838	7, 354
1 Patent issue fee, original or reissue, including extra claims and charges for printed pages of specifications and drawings <sup>1</sup> .....	1, 492	1, 315	1, 643	5, 141	8, 365
1 Patent copies.....	1, 632	1, 494	1, 573	2, 680	2, 828
1 Reproduction of records.....	971	1, 027	1, 095	1, 080	1, 079
1 Trademark filing fee.....	606	639	667	907	969
1 Patent appeals, including filing of brief <sup>2</sup> .....	306	252	565	644	728
1 Recording assignments.....	215	211	227	990	1, 395
1 Special service on orders.....	116	138	144	152	159
1 Design filing fee, including term extensions <sup>3</sup> .....	96	105	113	108	95
1 Trademark renewal fee.....	66	70	77	95	98
1 Certification of copies.....	84	89	97	106	114
1 Drawings and corrections.....	61	70	90	71	87
1 Subscription service for copies.....	31	33	29	9	34
1 Trademark copies.....	34	33	38	56	58
1 Trademark oppositions and cancellations.....	32	36	36	39	38
1 Title reports.....	22	21	24	10	—
1 Classified lists of patents.....	15	9	9	16	11
1 Airmail postage.....	10	8	8	9	9
1 Revival of abandoned patent applications.....	7	7	9	15	16
1 Patent reissue filing fee, including extra claims.....	7	7	6	19	25
1 Comparison of patent drawings.....	—	—	11	30	25
1 Design issue fee <sup>4</sup> .....	—	—	—	35	63
1 Other fees.....	63	62	72	96	116
Total income.....	8, 393	8, 238	9, 204	18, 146	23, 666

<sup>1</sup> 1965 and prior years include income from additional charges for extra claims only. 1966 includes income from additional charges for extra claims until effective date of Public Law 89-93, October 25, 1965.

<sup>2</sup> Fee for filing of brief was established by Public Law 89-83.

<sup>3</sup> Fees for term extensions were in existence until effective date of Public Law 889-83.

<sup>4</sup> Fee established by Public Law 89-83.

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